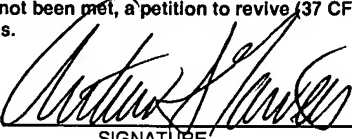
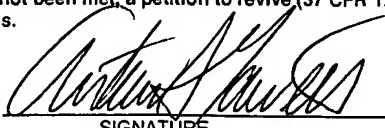


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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | CUSTOMER NO. 22,852 ATTORNEY'S DOCKET NUMBER: 04632.0067 |
| INTERNATIONAL APPLICATION NO. PCT/JP2004/011259 | INTERNATIONAL FILING DATE August 5, 2004 | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/567,165 |
| PRIORITY DATE CLAIMED August 5, 2003 | | |
| TITLE OF INVENTION: CRANE AND CONTROLLER FOR THE SAME | | |
| APPLICANT(S) FOR DO/EO/US: 1) Kazuhiko TERASHIMA and 2) Makio SUZUKI | | |
| Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed with the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <ol style="list-style-type: none"> 11. <input type="checkbox"/> Information Disclosure Statement under 37 CFR 1.97 and 1.98 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A Substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154 (d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> a. <input type="checkbox"/> Copy of cover page of International Publication No. WO 2005/012155 A1. b. <input checked="" type="checkbox"/> Copy of Notification of Missing Requirements. c. <input type="checkbox"/> Japanese International Search Report. d. <input type="checkbox"/> e. <input type="checkbox"/> f. <input type="checkbox"/> | | |

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| 21. <input type="checkbox"/> BASIC NATIONAL FEE (37 CFR 1.492(a)):\$310.00 | | | | | |
| 22. <input type="checkbox"/> Examination fee (37CFR 1.492(c)) | | | | | |
| If the Written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0 | | | | | |
| All other situations.....\$210 | | | | | |
| 23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) | | | | | |
| If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0 | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$110 | | | | | |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$410 | | | | | |
| All other situations.....\$510 | | | | | |
| TOTAL of 21, 22 and 23 = | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | Rate | | |
| 19 - 100 = | /50= | | x \$260.00 | | |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 8 - 20 = | 0 | x \$50.00 | | |
| Independent Claims | 5 - 3 = | 2 | x \$210.00 | | |
| <input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | +\$370.00 | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½. | | | | | |
| SUBTOTAL = | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest priority date (37 CFR 1.492(i)). | | | | | |
| TOTAL NATIONAL FEE = | | | | | |
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| TOTAL FEES ENCLOSED = | | | | | |
| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |
| a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0916. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 901 New York Avenue, N.W. Washington, DC 20001-4413 ASG/FPD/sci | | | | | |
|  SIGNATURE | | | | | |
| _____ Arthur S. Garrett/20,338 NAME/REGISTRATION NUMBER | | | | | |
| DATED: July 17, 2008 | | | | | |

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| | | | | charged: | \$ |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|----------------------------|
| In re Application of: |) | |
| |) | |
| Kazuhiko TERASHIMA et al. |) | |
| |) | Confirmation No.: 4580 |
| Application No.: 10/567,165 |) | |
| |) | Examiner: Not Yet Assigned |
| Filed: February 3, 2006 |) | |
| |) | |
| National Stage of International Application No. |) | |
| PCT/JP2004/011259 under 35 U.S.C. 371, for |) | |
| CRANE AND CONTROLLER FOR THE |) | |
| SAME |) | |

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 ISSUED IN ERROR

The Notification of Missing Requirements dated May 19, 2008, indicates that the oath or declaration does not identify the mailing or post office address of inventor 2 in the above-identified patent application. It is respectfully submitted that this notice has been issued in error and should be withdrawn.

In response to the Notification of Missing Requirements, enclosed is a copy of the executed declaration filed on February 3, 2006, with the application. Applicants submit that the declaration was properly executed by the inventor 2, Mr. Makio SUZUKI, which identified the complete mailing or post office address of the inventor, and was filed with the application on February 3, 2006. Applicants also submit that the requirement for submission of a new declaration has been made in error. All of the

requirements were met on February 3, 2006, including the payment of a filing fee of \$1660.00 (\$900.00 for filing fee, \$400.00 extra claims fee and \$360.00 for multiple dependent claim fee) and authorization to charge any additional filing fees to the designated deposit account.

Accordingly, it is respectfully requested that the Notification of Missing Requirements and a surcharge fee of \$130.00 be withdrawn since the declaration was proper executed by all inventors. However, if it is determined that such a surcharge fee is required, authorization is given to charge the fee to our deposit account no. 06-0916.

Please associate this Declaration with the application as filed on February 3, 2006, and assigned serial number 10/567,165.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUMNER, L.L.P.

By: 

Arthur S. Garrett
Reg. No. 20,338

Dated: July 17, 2008

Enclosures
ASG/FPD/sci



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/567,165 | Kazuhiko Terashima | 046320067 |

22852

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413**RECEIVED**

MAY 21 2008

INTERNATIONAL APPLICATION NO.

PCT/JP04/11259

I.A. FILING DATE

08/05/2004

PRIORITY DATE

08/05/2003

**CONFIRMATION NO. 4580
371 FORMALITIES LETTER**

OC000000029982379

Date Mailed: 05/19/2008

*Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.***NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Priority Document
- Copy of the International Application filed on 02/03/2006
- English Translation of the IA filed on 02/03/2006
- Copy of the International Search Report filed on 02/03/2006
- Information Disclosure Statements filed on 05/01/2006
- Oath or Declaration filed on 02/03/2006
- U.S. Basic National Fees filed on 02/03/2006
- Priority Documents filed on 02/03/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - second named inventor's mailing address is not specified
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

TONI M HOOD

Telephone: (703) 308-9140 EXT 218